

C. Remarks

Based on the above amendment and remarks to follow, entry of this amendment and allowance of this application is respectfully requested. This amendment is submitted in lieu of a Brief on Appeal and is properly enterable since it places the application in condition for allowance as it adopts the claims previously noted allowable.

This amendment is a second submission responsive to the Final office action dated July 3, 2003 in which Claims 1, 2, 4-8, 10 and 16-19 were rejected under 35 U.S.C. 102/103 and claims 3, 9 and 11-15 were objected to, but noted allowable if rewritten in independent form. Applicant submitted a Rule 116 amendment in response thereto on October 3, 2003. By an advisory action the Rule 116 amendment was not entered, in response thereto applicant filed a Notice of Appeal on November 3, 2003, with a one month extension of time. A Brief on Appeal, with a two month extension of time, is therefore due on March 3, 2004. However to move this case forward, this amendment is submitted in lieu of a Brief on Appeal and adopts the claims previously noted allowable.

The claims have been amended as follows:

- A) Independent claim 1 now includes the limitations of allowable claim 3.
- B) Independent claim 8 now includes the limitations of allowable claim 10.
- C) Independent claim 17 now includes the limitations of allowable claim 18.

D) New independent claim 21 includes the limitations of allowable claim 11.

E) New independent claim 21 includes the limitations of allowable claim 13.

F) New independent claim 22 includes the limitations of allowable claim 14.

The dependent claims have been amended/cancelled in conformity with the amendments to the independent claims.

A request for a two month extension of time to respond is enclosed herewith, please charge Deposit Account No. 502874 in the amount of \$339 (two month extension of time \$210 plus two new independent claims \$129).

It is respectfully submitted that the claims are allowable over the art of record and notice to that effect is earnestly solicited. If the Examiner has any questions regarding this matter, the Examiner is requested to telephone applicants attorney at the numbers listed below prior to issuing a further action.

Respectfully Submitted,

Dated: March 3, 2004

By 
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